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PTO/SB/21 (05-03)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9 + 11  
REFERENCES

Application Number

09/852,416

Filing Date

May 9, 2001

First Named Inventor

Chaitan KHOSLA

Art Unit

1639

Examiner Name

P. Ponnaluri

Attorney Docket Number

300622000501

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement (6 pages)☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):Form PTO-1449 (1 page, plus duplicate)  
References (11)

Remarks

CUSTOMER NO. 25225

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual nameMORRISON & FOERSTER LLP  
Brenda J. Wallach - 45,193

Signature

*Brenda J Wallach*

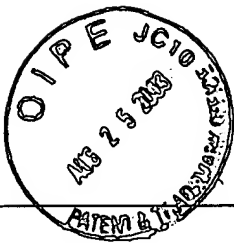
Date

August 21, 2003

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Dated: August 21, 2003

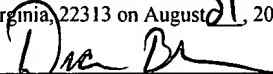
Signature: *Diane Blevins* (Diane Blevins)



PATENT  
Docket No. 300622000501

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA, *et al.*

Serial No.: 09/852,416

Filing Date: May 9, 2001

For: MACROLIDE ANALOGS

Examiner: P. Ponnaluri

Group Art Unit: 1639

SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This application is a Continuation of United States Serial Number 09/073,538, filed May 6, 1998, which is a Continuation-In-Part of United States Serial Number 08/846,247, filed April 30, 1997, which is a Continuation-In-Part of United States Serial Number 08/486,645, filed June 7, 1995, now United States Patent Number 5,712,146, which is a Continuation-In-Part of United States Serial Number 08/238,811, filed May 6, 1994, now United States Patent Number 5,672,491, which is a Continuation-In-Part of United States Serial Number 08/164,301, filed December 8, 1993, now abandoned, which is a Continuation-In-Part of United States Serial Number 08/123,732, filed September 20, 1993, now abandoned.

This application is a Continuation-In-Part of United States Serial Number 09/311,756, filed May 14, 1999, which is a Continuation of United States Serial Number 09/164,306, filed October 1, 1998, now abandoned, which claims benefit of priority to PCT Application No. PCT/US98/14911, filed July 17, 1998, now published PCT number WO 99/03986, published January 28, 1999, which claims the benefit of priority to United States Serial Number 08/896,323, filed July 17, 1997, now United States Patent Number 6,066,721, which is a Continuation-In-Part of United States Serial Number 08/675,817, filed July 5, 1996, now United States Patent Number 6,080,555, which claims the benefit of the filing date of provisional application serial number 60/003,338, filed July 6, 1995. United States Serial Number 09/164,306, filed October 1, 1998, is also a Continuation-In-Part of United States Serial Number 08/896,323, filed July 17, 1997, described above.

This application is related to provisional application serial number 60/076,919, filed March 5, 1998.

This application is related to United States Serial Number 10/096,790, filed March 12, 2002, and also to United States Serial Number 10/096,789, filed March 12, 2002, both of which claim priority to United States Serial Number 08/846,247, described above.

This application is related to United States Serial Number 10/340,139, filed January 10, 2003, which is a Continuation of United States Serial Number 09/073,538, described above.

This application is related to United States Serial Number 09/859,854, filed May 16, 2001 and United States Serial Number 10/213,926 filed August 6, 2002, both of which are a continuation of United States Serial Number 09/073,538, described above.

This application is also related to United States Serial Number 09/740,313, filed December 18, 2000, which is a Divisional of 08/846,247, described above.

This application is also related to United States Serial Number 09/925,236, filed August 8, 2001, which is Continuation of United States Serial Number 09/263,184, filed March 5, 1999, which is a Divisional of United States Serial Number 08/828,898, filed March 31, 1997, now United States Patent Number 6,022,731, which is a Continuation of United States Serial Number 08/238,811, described above.

This application is also related to United States Serial Number 10/096,724, filed March 12, 2002, which is a Continuation of United States Serial Number 09/755,653, filed January 5, 2001, which is a Divisional of United States Serial Number 09/264,162, filed March 5, 1999, now United States Patent Number 6,215,007, which is a Divisional of United States Serial Number 08/949,943, filed October 14, 1997, now United States Patent Number 5,962,290, which is a Divisional of United States Serial Number 08/486,645, described above.

This application is also related to United States Serial Number 09/263,366, filed March 5, 1999, now United States Patent Number 6,077,696, which is a Divisional of United States Serial Number 08/949,943, described above.

This application is also related to United States Serial Number 09/263,396, filed March 5, 1999, now United States Patent Number 6,214,573, which is a Divisional of United States Serial Number 08/828,898, described above.

This application is also related to United States Serial Number 08/828,887, filed March 31, 1997, now United States Patent Number 5,830,750, which is a Divisional of United States Serial Number 08/238,811, described above.

This application is also related to United States Serial Number 08/829,244, filed March 31, 1997, now United States Patent Number 5,843,718, which is a Divisional of United States Serial Number 08/238,811, described above.

This application is also related to PCT publication number WO 96/40968, published December 19, 1996, PCT publication number WO 95/08548, published March 30, 1995, PCT publication number WO 98/49315, published November 5, 1998, and PCT publication number WO 97/02358, published January 23, 1997.

This application is also related to United States Serial Number 09/870,012, filed May 29, 2001, which is a Divisional of United States Serial Number 09/434,289, filed November 5, 1999, now United States Patent Number 6,261,816, which is a Continuation of United States Serial Number 08/896,323, described above.

This application is also related to United States Serial Number 09/603,083, filed June 26, 2000, which is a Divisional of United States Serial Number 08/675,817, described above.

This application is also related to United States Serial Number 09/374,711, filed August 13, 1999, now United States Patent Number 6,274,560, which is a Divisional of United States Serial Number 08/675,817, described above.

This application is also related to United States Serial Number 09/602,725, filed June 26, 2000, which is a Continuation of United States Serial Number 08/675,817, described above.

This application is also related to United States Serial Number 10/187,333, filed June 28, 2002, which is a continuation of United States Serial Number 09/311,756, described above.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of \* is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622000501. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

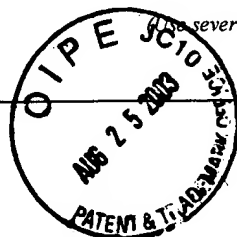
Dated: August 21, 2003

Respectfully submitted,

By: Brenda J. Wallach  
Brenda J. Wallach  
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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 300622000501

Application Number 09/852,416

Applicant

Chaitan KHOSLA et al.

Filing Date May 9, 2001

Group Art Unit 1639

Mailing Date August 21, 2003

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	12/2002	2002/0192756 A1	Santi et al.	435	69.1	
	2.	07/2003	2003/0124680 A1	Reeves et al.	435	76	
	3.	05/2000	6,066,721	Khosla et al.	536	23.1	
	4.	06/2000	6,080,555	Khosla et al.	435	41	
	5.	05/2002	6,391,594	Khosla et al.	435	91.4	
	6.	06/2002	6,399,789	Santi et al.	549	271	
	7.	06/2002	6,403,775	McDaniel	536	7.2	
	8.	12/2002	6,500,960	Khosla et al.	549	264	
	9.	05/2003	6,558,942	Khosla et al.	435	253.5	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	10.	Reeves, C.D., et al., <i>Biochemistry</i> , 40:15464-15470 (2001).
	11.	McDaniel, R., et al., <i>Proc. Natl. Acad. Sci. USA</i> , 96:1846-1851 (1999).

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.